

REMARKS

The Office Action mailed May 28, 2003 has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-22, 24, and 25 were pending in the application. No claims have been amended, canceled or added. Therefore, claims 1-22, 24, and 25 are pending in the application and are submitted for reconsideration by the examiner.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, are presented, with an appropriate defined status identifier.

In addition, the Applicant would like to thank Supervisory Patent Examiner Page for his comments and suggestions in the personal interview held July 8, 2003.

In the Office Action, claims 1-17, 19-22, 24, and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over European document 0 648 529 to Fusejima (hereafter “EP ‘529”). Claims 18 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over EP ‘529, in view of U.S. patent 5,939,097 to Fusejima (hereafter “Fusejima”).

Applicants respectfully traverse these rejections, insofar as they may be applied to the pending claims, for at least the following reasons.

As discussed in the interview, Fusejima neither teaches nor suggests peripheral apertures defined by a space between mutually parallel sections. Fusejima discloses a drum having a multiplicity of vent holes 16 in the cylindrical portion 2 of rotary drum 1 (column 5, lines 53-56). Further, the embodiment disclosed in Figure 3(a) consists of a rotary drum 1 which consists of a plurality of partition plates 52 which do not have peripheral apertures defined by space between the plates 52 (column 11, line 55 to column 12, line 14). As in the first embodiment of Fusejima, this embodiment uses a multiplicity of vent holes 16 to introduce gas into the drum. Because this embodiment of Fusejima already has a way for introducing gas into the drum 1, there is no motivation to modify the drum of Fusejima to separate the partition plates 52 to create peripheral apertures. Therefore, Fusejima does not render independent claim 1 or any of the claims which depend on claim 1 obvious.

Regarding SPE Page’s concern regarding the scope of “a member for feeding said drum with coating or fixing substance” and “a member for supplying gas,” applicant notes that these features are discussed on page 7, lines 15 to 25 of the specification and

illustrated in Figure 1. Further, Applicants notes that there are many conventional members for feeding a drum and for supplying gas. Thus, Applicants submit that the one of ordinary skill in the art would understand the scope of the claim.

Finally, applicants note that because the present claims could not be rejected on the art of record, it was improper for the examiner to issue a final rejection. Applicants respectfully request that finality be withdrawn.

In view of the foregoing amendments and remarks, applicants believe that the application is in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application or if an examiner's amendment would facilitate the allowance of one or more of the claims, the examiner is courteously invited to contact the undersigned attorney at the local number below.

Respectfully submitted,

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By _____

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